

TUESDAY, MAY 7, 1889.

The Senate met pursuant to adjournment.

The President in the Chair.

The roll was called and the following Senators answered to their names :

Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Brett, Bryant, Coulter, Crosby, Dismukes, Dunn, Hammond, Hendry, Hind, Houstoun, Jenkins, Kirk, King, Randell, Rogers, Rosborough, Schumacher, Smith, Swearingen, Tuten and Yancey—24.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

Mr. Stapleton was, on motion of Mr. King, excused on account of sickness.

INTRODUCTION OF RESOLUTIONS.

Mr. Coulter introduced—

Senate Memorial No. 169 :

A memorial to Congress for a plant of young shad in the Suwannee river ;

Which was read the first time by its title and referred to the Committee on Fisheries.

INTRODUCTION OF BILLS.

By Mr. Wall :

Senate Bill No. 170 :

To be entitled an act to amend section 57 of an act for the assessment and collection of revenue, approved June 13, 1887, being chapter 3681, Laws of Florida ;

Which was read the first time by its title and referred to the Committee on Finance and Taxation.

By Mr. Hammond :

Senate Bill No. 171 :

To be entitled an act making wills executed in other States operative in this State ;

Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. King :

Senate Bill No. 172 :

To be entitled an act to repeal sub-section four of section nine of an act entitled an act for the assessment and collection of revenue, being chapter 3681, Laws of Florida, approved June 13th, 1887 ;

Which was read the first time by its title and referred to the Committee on Finance and Taxation.

REPORTS OF COMMITTEES.

Mr. Parkhill, Chairman of Committee on Commerce and Navigation, submitted the following report :

SENATE CHAMBER, }
TALLAHASSEE, Fla., May 1, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR: Your Committee on Commerce and Navigation, to whom was referred—

Senate Bill No. 138 :

To be entitled an act to incorporate the Baylen Street Wharf Company, and to confer powers thereupon ;

That they have had same under consideration and beg leave to report that the same do pass.

Very respectfully,

C. B. PARKHILL,

Chairman Committee.

The following message from the House of Representatives was read :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., May 3, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR: I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Substitute for House Bills Nos. 52 and 112 :

A bill to be entitled an act prescribing the jurisdiction and duties of County Judges ;

Also,

Substitute for House Bill No. 2 :

A bill to be entitled an act to amend section 51 of an act passed November 20, 1828, the same being section 1 of chap-

ter 200, of McClellan's Digest of the Laws of Florida, providing for the execution of last wills and testaments ;

Also,

House Memorial to Congress :

Asking for the establishment of a mail route from Blue Springs, Marion county, via Parkersburg, Marion county, to Black Dirt, Levy county,

And respectfully ask the concurrence of the Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Substitute for House Bills No. 52 and 112 :

A bill to be entitled an act prescribing the jurisdiction and duties of County Judges,

Was read the first time by its title and referred to the Committee on Judiciary.

Substitute for House Bill No. 2 :

A bill to be entitled an act to amend section 51 of an act passed November 20th, 1828, the same being section 1 of chapter 200 of McClellan's Digest, of the Laws of Florida, providing for the execution of last wills and testaments,

Was read first time by its title and referred to the Committee on Judiciary.

House Memorial No. 13 :

Memorial to Congress asking for the establishment of a mail route from Blue Springs, Marion county, via Parkersburg, Marion county, to Black Dirt, Levy county,

Was read first time and referred to Committee on Commerce and Navigation.

Mr. Rogers, Chairman of the Committee on Agriculture, submitted the following report :

SENATE CHAMBER,
TALLAHASSEE, Fla., May 7, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR: Your Committee on Agriculture, to whom was referred—

Memorial to Congress for the protection of the cattle interest of the United States ;

Also,

Senate Bill No. 103 :

Authorizing the Internal Improvement Board to deed lands to certain public works,

Beg leave to report that they have had the same under consideration, and recommend that they do pass.

Very respectfully,

ROBT. F. ROGERS,

Chairman Committee.

Also the following :

SENATE CHAMBER,
TALLAHASSEE, Fla., May 7, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR: Your Committee on Agriculture, to whom was referred—

Senate Bill No. 80 :

An act for the prevention of cruelty to animals,

Beg leave to report that they have considered the same, and as they have already reported favorably on Senate Bill No. 79, which is substantially the same, respectfully recommend that Senate Bill No. 80 do not pass.

Very respectfully,

ROBT. F. ROGERS,

Chairman Committee.

Mr. Parkhill, Chairman of the Committee on Commerce and Navigation, made the following report :

SENATE CHAMBER,
TALLAHASSEE, Fla., May 7, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR: Your Committee on Commerce and Navigation, to whom was referred—

Senate Bill No. 113 :

An act declaring the stream known as Collins' Slough, in the State of Florida, navigable,

Beg leave to report that they have had the same under consideration, and would recommend that it do pass.

Very respectfully,

C. B. PARKHILL,

Chairman Committee.

Mr. Yancey, Chairman of the Committee on City and County Organization, submitted the following report:

SENATE CHAMBER,
TALLAHASSEE, Fla., May 7, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: Your Committee on City and County Organization, to whom was referred—

Senate Bill No. 109:

To be entitled an act to establish a municipal government for the city of Ocala, and to determine its boundaries and prescribe its corporate powers and jurisdiction, and to abolish its existing charter,

Beg leave to report that they have carefully considered the same and recommend that it do pass.

Very respectfully,

D. H. YANCEY,
Chairman Committee.

Mr. Hind moved that

Senate Bill No. 142:

An act to provide for the appointment and to prescribe the duties of a Public Examiner of the State of Florida,

Be made the special order for 11 o'clock to-morrow, and that 200 copies of the bill be printed.

Which was agreed to, and the order made.

Mr. Rogers presented the following memorial and asked that it be spread upon the Journal:

Memorial to the Honorable Senators and Representatives of Florida:

At a meeting of the Society for the Prevention of Cruelty to Animals, of Jacksonville, Florida, it was voted that this Society declares its approval of the bill now pending in the Senate for the prevention of cruelty to animals, and the committee of one hundred is requested to use its influence to have the same enacted into a law by the Legislature.

The following are the names of the committee of one hundred:

J. EVARTS MERRILL,

Secretary Society for Prevention of Cruelty to Animals, Jacksonville, Florida

JAMES R. CHALLEN, Chairman.

Rev Brooke G White,
J Gumbinger,
B A Coachman,
J Q Burbridge,
J Evarts Merrill,
G W Taylor,
Mrs L W Haskin,
Mrs E L Goodhue,
R B Archibald,
Dr Geo Troupe Maxwell,
J E Onley,
I Gregor,
B H Chadwick,
C D F Montgomery,
George C Wilson,
W R Carter,
O L Keene,
M Burt,
T B Ball,
Chas H Smith,
D W Trumpeller,
F W Hawthorne,
Dr A J Wakefield,
D G Ambler,
J R Campbell,
Geo S Kain,
Rev R T Hall,
Dr C J Burroughs,
B F Manier, Jr,
Wm Jahn, Jr,
Geo W Emery,
Kennon Mott,
LeGrand Haskin,
J P Fowler,
H E Cleaveland,
J H Burton,
Jacob E Cohen,
J Irwin Mackey,
J E Wandell,
J A Conover,
S Ritzewoller,
William Buckler,
Julius Slager,
A Girardeau,

Dr W M Bostwick,
Mrs W J Harkisheimer,
Rev Joseph Cadwallader,
M W Drew,
Dexter Hunter,
Mrs C Pollard,
Mrs R N Ellis,
D Greenleaf,
Mrs E C Coffin,
T D Gibbens,
Squire English,
John Diedricks,
J S Fairhead,
Rt Rev Edwin G Weed,
Rev A W Knight,
Rev J R Bicknell,
Rev R H Weller, D D
Rev F R Holemar,
Rev R E Grubb,
R W Oldham,
Raymond D Knight,
L W Haskin,
Rev S B Darnell,
E F Gilbert,
Jacob Huff,
A F Culpepper,
W C Pittman,
A B Campbell,
J E Moore,
Mrs M A Fuller,
Mrs Geo S Kain,
Mrs R T Hall,
Mrs C J Burroughs,
Mrs W M Bostwick,
A A W Cadwallader,
Anna E Snow,
Mrs T D Gibbens,
Miss Cama Challen,
Mary J Robinson,
Louise Johnson,
Guy Hutchings,
Samuel Wolf,
Mrs A M Smith,
Rufus A Russell,

Clarence M Russell,
Edward F Clark,
M M Belisario,
Joseph Rivas,
Mrs J E Merrill,
Mrs J R Challen,

J D Bucky,
M Meyerson,
John Clark,
J M Rivas,
Mrs J R Campbell.

On motion of Mr. Houstoun—
House Bill No. 73:

To be entitled an act to establish the municipality of Key West, provide for its government, etc..

Was called from the calendar for consideration and was read the third time and put upon its passage.

Upon the passage of House Bill No. 73, the vote was:

Yeas—Mr. President, Messrs. Bailey 22d District, Bailey 16th District, Brett, Bryant, Croshy, Dismukes, Dunn, Hendry, Houstoun, Jenkins, Kirk, King, Pirrong, Randell, Rosborough, Swearingen, Tuten and Yancey—19.

Nays—Messrs. Hind and Schumacher—2.

So House Bill No. 73 passed, title as stated.

On motion, Mr. Smith was excused from voting on House Bill No. 73.

On motion of Mr. Dismukes—
Senate Bill No. 151:

To be entitled an act for the incorporation of banking associations and to prescribe their general powers and liabilities,

Was called from the calendar for consideration.

Pending its consideration—

A message was received from the House of Representatives.

The courtesies of the Senate Chamber were extended to Capt. Philip Leonardi, of Volusia county.

Also to Mr. Denham, of Leon.

Mr. Hammond moved that the further reading of Senate Bill No. 151 be postponed, and that it be made the special order for 10:30 o'clock Friday next;

Which was agreed to, and the order was made.

The hour having arrived for the special consideration of—
House Bill No. 58:

To be entitled an act making it unlawful for live stock to run at large in Leon county,

Said bill was taken from the calendar for consideration and read by sections.

The second amendment, to-wit:

In section one (1), line thirty-one (31), after the word "dis-

trict," insert "of the said county of Leon or any adjacent county in the State of Florida,"

Pending;

Which was adopted.

On motion of Mr. Houstoun, the Committee amendments, to-wit:

After section six (6), insert the following sections, making section seven (7), section eleven (11);

SEC. 7. That it shall be the duty of the County Commissioners of the said County of Leon to provide for and have erected upon such portion of the boundaries of the territory mentioned in the first section of this act, as they shall deem necessary, a fence constructed of barbed wire, to be not less than four (4) feet high, tightly stretched on posts not more than eighteen (18) inches from the ground, the second wire not more than twelve (12) inches above the first, and the third wire not more than eighteen (18) inches above the second. That gates with secure fastenings shall be made in said fence where public roads cross or pass through it, and in such other places as the said County Commissioners may deem necessary for the convenience of the public.

SEC. 8. That when, in consequence of the existence of natural barriers, which in the judgment of said County Commissioners render it unnecessary to erect a fence, no such fence shall be erected, and any live stock passing through or crossing such natural barriers, or fence, shall be deemed trespassers and are liable to be dealt with as provided in section 2 of this act.

SEC. 9. That it shall be the duty of the said County Commissioners, as early after the passage of this act as possible, to provide for the assessment, levy and collection of a tax, not to exceed one mill, upon all the property, real and personal, in the territory mentioned in the first section of this act, to meet the requirements of this act, and every year after the first assessment the said County Commissioners shall provide for the assessment, levy and collection, at the same time and in the same manner as other taxes are assessed, levied and collected, of a tax not to exceed one-half mill on all of the property, real and personal, in the territory mentioned in the first section of this act, to keep said fence in repair.

SEC. 10. That any person or persons who shall break, knock down or injure said fence, or break or injure or leave open any gate erected under the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than ten nor more than two hundred dollars, or by imprisonment in the county jail for not

more than sixty days; and in addition such fine or imprisonment, shall also be liable for any damages occasioned by the breaking down or injuring or leaving open such fence or gate, said damages to be recovered by the person or persons damaged by a suit at law; *Provided*, That in no case shall damages be allowed in an amount greater than three hundred dollars.

Were adopted.

Mr. Jenkins offered the following amendment:

In line 4, of section 8, of the amendment, insert the word "not," between the words "shall" and "be," and in same line insert "not" between the words "are" and "liable."

Mr. Bryant moved that the amendment to the amendment be adopted.

Pending its consideration a message was received from the House of Representatives.

The amendment to the amendment was lost.

Mr. Houston offered the following amendments:

In section 3, line 4, of printed bill, after the word "the," strike out "sheriff of the county," and insert "constable of the district in which said stock are impounded."

In section 3, line 6, of printed bill, after the word "the," strike out sheriff and insert constable."

Mr. Houston moved that the amendments be adopted;

Which was agreed to, and the amendments were adopted.

Mr. Bailey, of 22d District, offered the following amendment:

In section 8, line 3, after the word "such," strike out "natural barriers."

Pending its consideration a message was received from the Governor.

By unanimous consent Mr. Bailey, of 22d District, withdrew the amendment.

Mr. Jenkins offered the following amendment:

Strike out in line 4 the words "or fence," and insert the word "not," between the words "shall and be," and in same line insert the word "not" between the words "are" and "liable."

The amendment was lost.

Mr. Dismukes offered the following amendment:

After the word "fence," in 4th line, section 8, insert the words "built in accordance with section 7 of this act."

On motion of Mr. Parkhill, the amendment was adopted.

The committee amendments as amended were adopted.
Mr. Kirk offered the following amendment:
Section 4, line 6, printed bill, after "him" "or he may redeem such stock by paying all costs accrued, together with the purchase money and interest at one per cent. per month from the time of impounding;

Which was agreed to, and the amendment was adopted.

Mr. Houston offered the following amendment:
In section 4, line 1, strike out "Sheriff" and insert "Constable;"

Which was adopted.
A message was received from the House of Representatives.
Mr. Houston offered the following amendment:

In section 6, line 1, strike out "Sheriff" and insert "Constable;"

Which was adopted.
House Bill No. 58, together with the amendments, was ordered to be engrossed and placed on the calendar for its third reading.

Mr. Dismukes moved that the vote by which Senate Bill No. 151 was made the special order for 11 o'clock Friday next be reconsidered;

Which was agreed to, and the vote was reconsidered and Senate Bill No. 151 was made the special order for 4 o'clock, Wednesday, May 8th, 1889.

On motion of Mr. Bryant, the rules were waived by a two-thirds vote and the following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., May 7, 1889. }

HON. J. B. WALL,

President of the Senate:

SIR: I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—
House Bill No. 74:

A bill to be entitled an act to fix the pay of the members, officers and attaches of the Regular Session of the Legislature of 1889,

And respectfully ask concurrence of Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Bill No. 74:

To be entitled an act to fix the pay of the members, officers and attaches of the regular session of the Legislature of 1889,

Was read the first time by its title and referred to the Committee on Legislative Expenses.

Also the following :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., May 7, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR : I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 147 :

A bill to be entitled an act to make the owners of any ship, brig, sloop or other vessel responsible in damages for the killing of cattle, and to provide for a writ of attachment in such cases ;

Also,

House Joint Resolution No. 20 :

Memorializing Congress to protect our fishermen from foreign competition ;

Also,

House Joint Resolution No. 15 :

Memorializing Congress to propose an amendment to the Constitution of the United States to abolish the Electoral College, and provide for the election of President and Vice-President of the United States by the popular vote,

And respectfully ask the concurrence of the Senate therein.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Bill No. 147 :

To be entitled an act to make the owners of any ship, brig, sloop or other vessel responsible in damages for the killing of cattle and to provide for a writ of attachment in such cases,

Was read the first time by its title and referred to the Judiciary Committee.

House Joint Resolution No. 20 :

Memorializing Congress to protect our fishermen from foreign competition,

Was read the first time by its title and referred to the Committee on Fisheries.

House Joint Resolution No. 15, in House of Representatives,

Was read the first time by its title and referred to the Committee on Constitution.

Also the following :

HOUSE OF REPRESENTATIVES, }
TALLAHASSEE, Fla., May 6, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR : I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 123 :

A bill to be entitled an act to make the receipts of the Receiver of the United States Land Office *prima facie* evidence in actions of ejectment, and declare the effect thereof ;

Also,

House Bill No. 200 :

A bill to be entitled an act to incorporate the Manatee River Railway and Navigation Company,

And respectfully ask the concurrence of the Senate therein.

Very Respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

House Bill No. 123 :

To be entitled an act to make receipts of the Receiver of the United States Land Office *prima facie* evidence in actions of ejectments, and declare the effect thereof,

Was read first time by its title and referred to Judiciary Committee.

House Bill No. 200 :

To be entitled an act to incorporate the Manatee River Railway and Navigation Company,

Was read the first time by its title and referred to Committee on Appropriations.

The following communication from the Governor was read :

STATE OF FLORIDA, EXECUTIVE OFFICE, }
TALLAHASSEE, Fla., May 7, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR : Having carefully examined Senate Joint Resolution No. 23, entitled "Senate Joint Resolution instructing our

Governor and Senators, and requesting our Representatives in Congress to cause an investigation to be made to ascertain as to the legality of selections of swamp and overflowed lands, and have such as have been legally selected patented to the State," I herewith return the same to the Senate, in which it originated, with my objections thereto.

I will cheerfully join in any action which would facilitate the patenting to the State of the swamp and overflowed lands now remaining unpatented of the grant of September 28, 1850, and which would eliminate from the selections made for the State under said grant such lands (if there be any) which do not come within the terms of the grant. I cannot think, however, that Congressional action is necessary, or would in any manner facilitate either the one or the other. Nor can I concur in the reason assigned in said resolution for the failure of the State to receive patents for a large quantity of the land selected, to-wit: "Because portions of them are not swamp and overflowed."

The system adopted for the selection of the lands under the said grant is as follows:

An agent appointed by the State makes the selections in the first place, based upon an actual examination of the lands. Such selections are reported to the Surveyor-General for Florida, who submits them to the test of the field notes of the government surveyors, who made the original surveys, and reports to the Land Department in Washington, the result of such investigation. The Department then sends out special agents to make a personal examination of the lands so reported, in behalf of the General Government, and the lands found to be swamp and overflowed within the terms of the grant, are reported to the Secretary of the Interior and approved by him, and stand ready to be patented to the State.

It is entirely possible, and even probable, that an occasional subdivision of a section, or other selection, may be found in the large quantity of land selected, which does not properly come within the terms of the grant; but I have no reason to believe that there is any considerable quantity of the unpatented selections of the State, which are not properly "swamp and overflowed." In fact, the great bulk of the selections still unpatented, amounting up to June 1st, 1888, to 3,675,718.58 acres, and about 2,000,000 acres since that time, lie within the everglades, and the country contiguous thereto, which is either constantly submerged, or in that condition the greater portion of the year, and unfit for cultivation without artificial drainage.

The Department of the Interior possesses ample means, without further Congressional legislation, to ascertain whether the

lands selected come within the terms of the act of September 28, 1850, and to eliminate therefrom any lands which may be improperly selected, and eximinations are now being made by the government as to the State selections; nor is Congressional action necessary to authorize the issue of patents to the State to which she is entitled. And I have reason to believe that such patents will be so issued in the near future. In a recent letter to me from the Hon. S. M. Stockslager, Commissioner of the General Land Office, he says: "Two special agents have been in Florida for several months, examining the lands claimed by said State under the swamp grant, for the purpose of taking action thereon with a view to approval and patenting to the State such lands as are found to be really swamp or overflowed, at an early day."

On the other hand, if the resolution under consideration should be adopted, it would, in effect, amount to a notice to the Interior Department by the Legislature of our State to withhold patents to which the State is entitled for an indefinite period, until Congress may take action, which would, at least, be superfluous.

In reference to that portion of the resolution, urging Congressional action to release any lands improperly selected, that they may be opened for entry by actual settlers, I deem it proper to say, that upon an application for homestead of any State selection, and proof to the United States Land Office that the same is not swamp land, a settler is permitted to homestead the land so applied for. The most liberal system prevails towards actual settlers in the administration of the State lands by the Board of Trustees of the Internal Improvement Fund of Florida. In all contracts, reservations and conveyances, the Board has been careful and diligent in protecting their interests, whether occupying by color of right, or merely as squatters. Under the laws of this State and rules of the board any citizen of Florida, who is the head of a family, or twenty-one years of age, can acquire 80 acres of the swamp lands of the State, not reserved, at 25 cents per acre, by making affidavit that he desires it for his own actual settlement and cultivation. It would scarcely seem, therefore, that further Congressional action is necessary to protect the settler.

For the foregoing reasons I have withheld my signature from the resolution.

I have the honor to be,

Very respectfully,

FRANCIS P. FLEMING,

Governor.

On motion of Mr. Pirrong the message was ordered to be spread upon the Journal.

By unanimous consent, House Bill No. 4 was made the special order for 4:15 this evening.

Mr. Rosborough moved that the rules be waived and that Senate Bill No. 50 :

An act to enlarge and extend the powers, rights and franchises of the Florida, Ocean and Gulf Canal Company, and to enact that the canal and property of said Company shall be exempt from taxation,

Be taken up from its regular order on the calendar for consideration ;

Which was agreed to by a two-thirds vote, and Senate Bill No. 50 was read the third time and put upon its passage.

Mr. Bryant was called to the chair.

Upon the passage of Senate Bill No. 50 the vote was :

Yeas—Messrs. Bailey of 22d District, Bailey of 16th District, Bryant, Coulter, Crosby, Dismukes, Drake, Houston, Jenkins, Parkhill, Pirrong, Randell, Rosborough, Schumacher, Smith and Swearingen—16.

Nays—Mr. Kirk—1.

So Senate Bill No. 50 passed, title as stated, and was ordered to be certified to the House of Representatives at once.

It was so certified.

By permission Mr. Latham, Chairman of the Joint Committee on Enrolled Bills, submitted the following report :

SENATE CHAMBER,
TALLAHASSEE, Fla., May 7, 1889. }

HON. J. B. WALL,

President of the Senate :

SIR : Your Joint Committee on Enrolled Bills have submitted to the Governor for his consideration and signature the following bills, resolutions and memorials, to-wit :

Senate Joint Resolution No. 28 :

Memorializing Congress for a continuation of the geological survey of the State of Florida ;

Also,

Senate Memorial to the Postmaster-General asking for the establishment of a mail route from St. Marks to Teresa ;

Also,

Senate Bill No. 95 :

An act to amend section 1, of chapter 3808, of the Laws of Florida, entitled "An act to incorporate an institution of learning at DeLand, Florida, under the name of DeLand University, in such a manner as to change the name of said University to John B. Stetson University ;"

Also,

Senate Memorial to Congress :

A Memorial to Congress to have an appropriation made to make Orange creek navigable from its mouth to Hendry farm, a distance not more than ten miles ;

Also,

Senate Bill No. 88 :

A bill entitled an act to declare Orange Creek, in Lee county, a navigable stream ;

House Bill No. 13 :

An act relating to the payment of taxes by persons holding mortgages or other liens against real estate ;

Also,

An act to amend an act to incorporate the St. Johns River Conference College, approved June 7, 1887 ;

Also,

An act to protect the sponge fisheries on the coast of Florida, and to punish the gathering or catching of sponge by diving, either with or without diving suits or armor ;

Also,

An act to legalize the incorporation and municipal government of the town of Lakeland, in the county of Polk ;

Also,

Joint Resolution and Memorial to Congress of the United States, asking for a mail route from Portland, in Walton county, to Boggy Bayou, in same county ;

Also,

House Bill No. 50 :

A bill to be entitled an act to empower the Governor, Treasurer and Comptroller to borrow money for State purposes.

Very respectfully,

J. F. LATHAM,

Chairman Joint Committee on Enrolled Bills.

Mr. Tuten moved that the Senate take a recess until 4 o'clock P. M. ;

Which was agreed to.

So the Senate took a recess.

CONFIRMATIONS.

W. B. Telford, to be County Commissioner for District One, Suwannee county, Florida.

To be County Commissioners for Putnam county, Florida: William C. T. Stephens for District One, B. L. Lillenthal for District Two, E. P. Hazel for District Three.

FOUR O'CLOCK P. M.

The Senate resumed its session.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Messrs. Bailey of 16th District, Bielby, Coulter, Crosby, Drake, Hammond, Hendry, Hind, Jenkins, Kirk, Pirrong, Randell, Rogers, Rosborough, Schumacher, Smith, Tuten, Wilkinson and Yancey—20.

A quorum present.

Mr. Yancey moved that the special order be advanced and that—

House Bill No. 4:

An act to amend an act to establish the municipality of Jacksonville, etc.,

Be read the third time and put upon its passage;

Which was unanimously agreed to,

And House Bill No. 4 was read the third time, together with the amendments of the Senate,

Pending which a message was received from the Governor.

Also a message was received from the House of Representatives.

On motion of Mr. Parkhill, Mr. Brett was excused.

A message was received from the House of Representatives.

Mr. Rogers moved that the Senate adjourn until 10 o'clock to-morrow morning;

Which was agreed to,

And the Senate stood so adjourned.

WEDNESDAY, MAY 8th, 1889.

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called, and the following Senators answered to their names:

Mr. President, Messrs. Bailey of 22d District, Bailey of 16th District, Bielby, Bryant, Coulter, Crosby, Dismukes, Drake, Dunn, Hendry, Hind, Jenkins, Kirk, King, Pirrong, Randell, Rogers, Rosborough, Schumacher, Smith, Swearingen, Tuten, Wilkinson and Yancey—25.

A quorum present.

Prayer by the Chaplain.

The Journal was corrected and approved.

Senator Stapleton was excused on account of sickness.

INTRODUCTION OF BILLS.

By Mr. Kirk:

Senate Bill No. 173:

To be entitled an act to incorporate the Brooksville and Lachoochee Railroad Company, to confer certain powers therein expressed, and to grant lands to the same;

Which was read the first time by its title and referred to the Committee on Railroads and Telegraphs.

The following message from the House of Representatives was read:

HOUSE OF REPRESENTATIVES,
TALLAHASSEE, Fla., May 7, 1889.

HON. J. B. WALL,

President of the Senate:

SIR: I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 92:

A bill to be entitled an act to provide for the appointment of Recorders in and for provisional municipalities, and to define their jurisdiction and powers.

Very respectfully,

B. R. MILAM,

Chief Clerk of the House of Representatives.

Senate Bill No. 92: